

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D27610
C/ct

_____AD3d_____

Submitted - May 11, 2010

REINALDO E. RIVERA, J.P.
ANITA R. FLORIO
DANIEL D. ANGIOLILLO
LEONARD B. AUSTIN, JJ.

2007-05896

DECISION & ORDER

The People, etc., respondent,
v Demetri Miller, appellant.

(Ind. No. 1808-06)

Robert C. Mitchell, Riverhead, N.Y. (Alfred J. Cicale of counsel), for appellant.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Steven A. Hovani of counsel),
for respondent.

Appeal by the defendant from a judgment of the County Court, Suffolk County
(Hudson, J.), rendered May 23, 2007, convicting him of robbery in the third degree, after a nonjury
trial, and imposing sentence.

ORDERED that the judgment is affirmed.

We have reviewed the record and agree with the defendant's assigned counsel that
there are no nonfrivolous issues which could be raised on appeal. Counsel's application for leave to
withdraw as counsel is granted (*see Anders v California*, 386 US 738; *People v Paige*, 54 AD2d 631;
cf. People v Gonzalez, 47 NY2d 606).

RIVERA, J.P., FLORIO, ANGIOLILLO and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 1, 2010

PEOPLE v MILLER, DEMETRI